

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 276 - SB 585

March 8, 2013

SUMMARY OF BILL: Requires, prior to adoption or certification of a zoning plan, zoning ordinance, or update to a zoning ordinance, the local legislative body or local board of zoning appeals to notify all affected landowners by regular mail, provide sufficient public notice in a newspaper with general circulation in the city or county, and conduct public hearings. Notification provided by mail to landowners shall include a detailed summary of the changes between existing code and the proposed changes. Declares that all notice requirements specified in this bill are in addition to any current notices required by law.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$11,000*

Assumptions:

- Pursuant to Tenn. Code Ann. Title 13, Chapter 7, county and municipal legislative bodies are currently required to hold public hearings, and provide notice of such meetings prior to the meetings in a newspaper of general circulation in the local government prior to certification of a zoning plan, zoning ordinance, or amendment to a zoning plan.
- Provisions of the bill require new notifications and publications.
- Based on responses to the 2012 Local Government Survey conducted by the Fiscal Review Committee, participating local government officials reported the average cost for newspaper notification is \$134. While it is unknown how many additional notifications in a newspaper with general circulation will be required, it is estimated to result in a recurring increase in local expenditures exceeding \$1,000 statewide.
- Due to multiple unknown factors, including, but not limited to, the number of zoning ordinances, zoning plans, or updates a local government may propose each year; the number of affected landowners in each proposal; the length of the changes that are required to be noted in a detailed summary; and costs associated with mailing summaries for each zoning ordinance, zoning plan, or update, a precise increase in local expenditures is difficult to determine; however, it is reasonably estimated to exceed \$10,000 statewide per year.
- The total recurring increase in local government expenditures is estimated to exceed \$11,000 statewide (\$1,000 newspaper notification costs + \$10,000 landowner notification).

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

/jrh